

AGREEMENT CREATING WATER LINE EASEMENT

THIS AGREEMENT, entered into between ELAINE KAVKA, whose address is 213 South Fork Avenue, Dayton, Wyoming 82836 (hereinafter "Grantor"), and the TOWN OF DAYTON, Wyoming, whose address is P. O. Box 100, Dayton, Wyoming 82836 (hereinafter "Grantee"). The parties agree as follows:

1. Conveyance of Easement

Grantor hereby grants, bargains, sells and conveys to Grantee an easement for an underground water pipeline, together with a right-of-way within said easement strip, and the right to excavate for, install, repair, maintain, replace and use such pipeline as Grantee shall from time to time elect over property owned by Grantor, said easement being more particularly described as follows:

An easement fifteen feet wide, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T57N, R86W of the 6th P.M., Sheridan County, Wyoming lying seven and one-half feet on each side of the following described centerline:

Beginning at a point on the Easterly right of way line of Dayton - Wolf Creek County Road, said point being located S 60°39'19" W, 1411.00 feet from the NE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32; thence N 82°58'24" E, 240.20 feet to the West line of Big Horn View Park, said point being located S 56°16'02" W, 1192.28 feet from said NE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32.

2. Easement to Run With Land

This grant of easement shall be appurtenant to and run with the land and shall be binding on and inure to the benefit of the parties hereto, their heirs, successors or assigns in perpetuity.

DATED this 15th day of October, 1985.

Grantor's land, including the reseeding and replanting of grass or other growing crops, for all disturbances caused by Grantor's excavating for, constructing, installing, repairing, maintaining, replacing or using said underground water pipeline.

5.

Grantor reserves the right to use the above-described easement strip for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building or other structure of improvements, or drill or operate any well, or construct any other obstruction on said easement strip.

4. Grantor's Reservation of Rights

In consideration of this easement, Grantor shall be entitled to receive water from the Town of Dayton at the same rates charged to residents living within the Town boundaries of the Town of Dayton. Grantor's right to receive the benefit of in-town water rates is personal to the Grantor, and shall not run with the land, nor to the benefit of any of Grantor's successors, heirs, or assigns. Said rights shall expire upon Grantor's death, or at such time as she no longer resides on the property that is subject to this easement.

3. Consideration

GRANTOR:

Elaine Kavka
ELAINE KAVKA

GRANTEE:

TOWN OF DAYTON

By:

Mayor

Council Member

Council Member

Council Member

Council Member

STATE OF WYOMING)

County of Sheridan) ss.

The foregoing instrument was acknowledged before
me this 15th day of October, 1985, by Elaine Kavka, Grantor.

WITNESS my hand and official seal.

Susan McLean
Notary Public

My Commission expires: Sept 19, 1988.

STATE OF WYOMING)

County of Sheridan) ss.

The foregoing instrument was acknowledged before
me this 15th day of October, 1985, by Arthur T. Badgett Richard D. Kusala
Richard D. Kusala, the Mayor of Dayton and the Council
Members.

WITNESS my hand and official seal.

Susan McLean
Notary Public

My Commission expires: Sept 19, 1988.

A twenty foot wide easement in the NE $\frac{1}{4}$ Section 32, T57N, R86W of the
 6th P.M., Sheridan County, Wyoming lying ten feet on both sides of the
 following described centerline:
 Beginning at a point on the Easterly right of way line of Dayton -
 Wolf Creek County Road, said point being located S 60° 39' 19" W,
 1411.00 feet from the NE corner of said NE $\frac{1}{4}$ Section 32; thence N 82°
 58' 24" E, 240.20 feet to the West line of Big Horn View Park, said
 point being located S 56° 16' 02" W, 1192.28 feet from said NE corner of
 said NE $\frac{1}{4}$ Section 32.

WATER LINE EASEMENT

TOWN OF DAYTON

